IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1212 OF 2005

Sumita Amarnath ....Petitioner

Versus

Chembur Trombay Education Society & Ors. ....Respondents

Mr.Mihir Desai for the Petitioner.
Mr.Abhay Patki for Respondent Nos.1 and 2.
Mr.Susheel Mahadeshwar for Respondent No.3.

CORAM : DALVEER BHANDARI, C.J. &
S.J. VAZIFDAR, J.
DATE : 8TH JULY, 2005.

P.C. :

The Petitioner is serving as lecturer in the subject of English with Respondent No.1 – society. She has prayed that Respondent Nos.4 and 5 – Joint Director of Higher Education Mumbai Region and State of Maharashtra respectively be directed to dereserve the post against which the Petitioner has been serving since 5.7.1991. The proper procedure for dereserving the post is that a request has to be sent to the Principal of University in prescribed form. After proper

consideration by the University the proposal is sent to the concerned Government for dereserving the post. The State Government after considering all requisite facts and circumstances take a decision regarding dereserving the post.

3. The Petitioner would be at liberty to approach Respondent No.1 for getting the post dereserved in accordance with law. The College is directed to initiate the process of dereservation after getting formal request of the Petitioner. Similarly the University would also initiate the process of sending their proposal / recommendations to the State Government and thereafter the State would take decision in accordance with law regarding dereserving of the post as expeditiously as possible.

4. No further directions are necessary in this Petition. The Petition is accordingly disposed of.

CHIEF JUSTICE

S.J. VAZIFDAR, J.